

MEMO ENDORSED #15

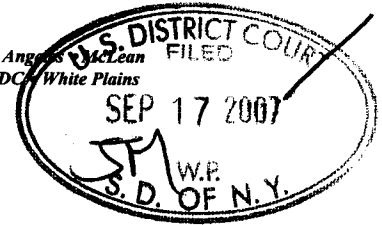
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September 12, 2007

Hon. Charles L. Briant
 United States District Judge
 United States Courthouse
 300 Quarropas Street
 White Plains, New York 10601

Re: Araz Alali v. Robert Gazzola, individually, Patrick J. Carroll, individually,
and the City of New Rochelle, New York
 Index No.: 07 Civ. 1296 (CLB)
 Our File No.: 07367.00056

Dear Judge Briant:

We represent the defendants in this federal civil rights action. On August 2, 2007, the defendants filed a motion for summary judgment pursuant to paragraph 3(d) of your scheduling order. In view of the terms of paragraph 3(d) of your order which provide that the plaintiff's "version of the events shall be presumed true for the purposes of the motion," we request that discovery be stayed pending your decision on the motion. Plaintiff's counsel does not consent. If the Court concludes that discovery should continue despite the pendency of the summary judgment motion made on grounds of qualified immunity, all counsel request the opportunity to submit a proposed revised discovery schedule.

Concerning the pending motion for summary judgment, on consent, plaintiff's counsel requests the Court extend the date to oppose the motion until

November 16, 2007 and, on consent, we request that the Court extend the defendants' time to reply until December 4, 2007.

Respectfully yours,


Peter A. Meisels

PAM:kt

cc: Jonathan Lovett, Esq.